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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,727	09/05/2006	Jianbing Huang	90059JLT	3151
1333 7590 03/21/2008 EASTMAN KODAK COMPANY PATENT LEGAL STAFF 343 STATE STREET ROCHESTER, NY 14650-2201			EXAMINER ROBINSON, CHANCEITY N	
			ART UNIT	PAPER NUMBER
			4191	
			MAIL DATE	DELIVERY MODE
			03/21/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/591,727

**Applicant(s)**

HUANG ET AL.

**Examiner**

CHANCEITY N. ROBINSON

**Art Unit**

4191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 16-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/CIS)
- Paper No(s)/Mail Date 09/05/2006

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

**Stable High pH Developer**

Examiner: Chanceity Robinson S.N.10/591,727 Art Unit: 4191 March 14, 2008

***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 16-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "the developer composition" lacks antecedent basis. Step (i), may be deemed as a "developer composition per se, alternatively step (ii), may also be deemed as "developer composition". Therefore, the phrase "developer composition" is not clearly defined by the claims or specification.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 16-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujita et al. (US 2003/0207202 A1).

Regarding claims 16-20, Fujita et al. disclose a method for a lithographic printing plate imagewise exposed to light and then developed. See paragraph 0224. Further, Fujita et al. disclose a developer (solution) comprising of sodium hydroxide and potassium hydroxide (alkali hydroxides) and alkaline agents such as tri-sodium phosphate, tri-potassium phosphate, sodium carbonate and potassium carbonate (stabilizer) so the pH falls within a range of 9.0 to 13.5. See paragraph 0231. In addition, Fujita et al. disclose a developer comprising an alkali metal silicate. See paragraph 0246. Fujita et al. disclose the developer can further comprise of a variety of surfactants and/or organic solvents, preservatives, coloring agent, thickening agent, anti-foaming agents and water softeners. See paragraphs 0234 and 0244. Additionally, Fujita et al. disclose the printing plate been treated with the developer (developer composition) is then subject to post-treatments of washing (rinsing) water. See paragraph 0248. Also, Fujita et al. disclose a developer comprise of development stabilizers such as polyethylene glycol, anionic or amphoteric surfactants which may be added to the developer in an amount ranging from 0.001 to 10 % weight. See paragraphs 0236-0237.

Regarding claim 21, Fujita et al. disclose the light-sensitive (radiation-sensitive coating) resin composition comprises of a variety of additives such as octylphenolformaldehyde resin and novolak resin (phenolic resin). See paragraph 0197.

Regarding claim 22, Fujita et al. disclose Fujita et al. disclose a method for a lithographic printing plate imagewise exposed to light and then developed. See paragraph 0224. Further, Fujita et al. disclose a developer (solution) comprising of sodium hydroxide and potassium hydroxide (alkali hydroxides) and alkaline agents such as tri-sodium phosphate, tri-potassium phosphate, sodium carbonate and potassium carbonate (stabilizer) so the pH falls within a range of 9.0 to 13.5. See paragraph 0231. In addition, Fujita et al. disclose a developer comprising an alkali metal silicate. See paragraph 0246. Fujita et al. disclose the developer can further comprise of a variety of surfactants and/or organic solvents, preservatives, coloring agent, thickening agent, anti-foaming agents and water softeners. See paragraphs 0234 and 0244. Additionally, Fujita et al. disclose the printing plate been treated with the developer (developer composition) is then subject to post-treatments of washing (rinsing) water. See paragraph 0248. Also, Fujita et al. disclose a developer comprise of development stabilizers such as polyethylene glycol, anionic or amphoteric surfactants which may be added to the developer in an amount ranging from 0.001 to 10 % weight. See paragraphs 0236-0237.

6. Claims 16 and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Patel et al. (US 2004/0110090 A1).

Regarding claim 16, Patel et al. disclose a process for imagining an developing imageable elements (printing plate precursor) comprising a developer (alkaline developer) with a mixture of an aqueous alkaline developer that has a pH greater than

11 and contains alkali metal silicate and a solvent based developer that contains about 0.5 wt % to 15 wt % of an organic solvent or mixture of organic solvent (stabilizer with an amount of carbonate anion). See abstract and paragraphs 0079 and 0081. Further, Patel et al disclose optional components may be used such as anionic, nonionic and amphoteric surfactants, biocides, anti-foaming agents and thickening agents. See paragraph 0083. In addition, Patel et al. disclose the developer is applied (contacted) to the imaged precursor and may be rinsed with water. See paragraph 0086.

Regarding claims 19-20, Patel et al. disclose the developer comprises of about 5 wt % of the organic solvent (carbonate anion), the alkaline developer has a pH between about 12 and about 14 and comprises of 4 wt % to 6.5 wt % of the alkali metal silicate. See claim 10.

Regarding claim 21, Patel et al. disclose a phenolic resin (polymeric material) in the coating of the printing plate precursor. See paragraph 0034 and 0056.

Regarding claim 22, Patel et al. disclose a process for imagining an developing imageable elements (printing plate precursor) comprising a developer (alkaline developer) with a mixture of an aqueous alkaline developer that has a pH greater than 11 and contains alkali metal silicate and a solvent based developer that contains about 0.5 wt % to 15 wt % of an organic solvent or mixture of organic solvent (stabilizer with an amount of carbonate anion). See abstract and paragraphs 0021-0022. Further, Patel et al disclose optional components may be used such as anionic, nonionic and amphoteric surfactants, biocides, anti-foaming agents and thickening agents. See

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paragraph 0083. In addition, Patel et al. disclose the developer is applied (contacted) to the imaged precursor and may be rinsed with water. See paragraph 0086.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHANCEITY N. ROBINSON whose telephone number is (571) 270-3786. The examiner can normally be reached on Monday to Thursday: 7:30 am-5:30 pm eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dah-Wei Yuan can be reached on (571) 272-1295. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Dah-Wei D. Yuan/

Supervisory Patent Examiner, Art Unit 4191